G. R. S. IX-5]

*Previous references.*

Reserve

1917-18

(Courts)

File No. 86-14

Serial Nos. 142

*Later references.*

Ch 115-18 SS 142

# GENERAL AND REVENUE SECRETARIAT.

---

*Serial Nos.* 142

**Part B for** December 1917

---

SUBJECT.

Amendment to Rule of Practice no 123 Re - grant of Copies of documents along with Copies of Judgement.

---

2) To the Registrar Chief Court No J 1963 dt 5-12-417 Approving the alteration proposed.

W D 88—GPB—50,000—24-7-16

Md Ab Rur Rahman
15. 12. 17 Chai

G. R. S. III—1] 1917.

GENERAL AND REVENUE SECRETARIAT.

( Courts )

NOTES.

File No. 86-17

FILE HEADING.

Amendment to Rule of Practice no 123 re grant of copies of documents along with copies of Judgments.

From

The Registrar, Chief Court

No. R.O.C. 733/1916-17 Dated 2.10.17 Received 4.10.17

| Diary No. J-797 | Enclos. 1 Spare Copies. | Serial No. 1 |
|---|---|---|

BRIEF ABSTRACT OF LETTER.

Forwards a draft addendum and corrigendum proposed to be issued to Rule of Practice no 123 of 26.9.1905 so as to provide for the granting copies of lists of documents along with copies of Judgments.

NOTES AND ORDERS.

Submitted with a draft appearing.

ASR 28/11

The letter of the Chief Court explains clearly the necessity of the amendment of the Rule of Practice. The draft may be kindly approved.

BJ 13/12/17

Eg 14/12

First Member

Draft approved by the first member 27.11.17

Eg 14/12

NOTES—First Sheet.

WD 1232—GPB—20,000—18-11-16

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat. | File No. 86 of 1917.

| Serial No. | |
|---|---|
| 2 | To The Registrar High Court |
| | No 9-1963 dt 5-12-1917 |
| | Approving the alterations |
| | proposed |

NOTE—Contn. sheet.

DIARY No. 9797

12/7/1918

SECTION 45

FILE 86-17

SERIAL No. 1

R.C.C. No.733/1916-17.

with one Encl.

GEN. & REVENUE DEPT. III 4 OCT 1917

Chief Court of Mysore,

Bangalore, 27th September 1917.

2nd Octr.

From

N. T. Gopaliengar Esq., B.A., LL.B.,

Registrar of the

Chief Court of Mysore.

GEN. & REVENUE DEPT. III JUDICIAL 4 OCT 1917

To

C. S. Balasundaram Iyer Esq., B.A.,

Secretary to the Government of Mysore,

General Department,

Bangalore.

Sir,

The District Judge of Shimoga submitted for the orders of this Court copies of correspondence between the Subordinate Judge of Shimoga and the Munsiff of Chitaldrug in the matter of furnishing parties with copies of lists of documents admitted in evidence along with copies of judgments. When the Subordinate Judge asked the Munsiff to report why no copies of such lists are issued to parties along with copies of judgments as is done in the other Courts in the division, the Munsiff said that unless parties apply for copies of those lists also, they are not given as a matter of course with the copies of judgments as they do not form part of the judgment vide Corrigendum dated the 26th of July 1912 to Rule of Practice No.123 dated the 17th October 1905. The District Judge was of opinion that copies of such lists may, with advantage, be ordered to be appended to copies of judgments just as lists of documents are ordered to be appended to the judgments in criminal cases vide Rule of Practice No: 82 dated the 19th May 1909 and stated that all the Courts in his division except the Court of the Munsiff of Chitaldrug have been appending copies of such lists to copies of judgments.

* Please see page 319 the Civil Digest portion

N.C.

The District Judges of Bangalore and Mysore who were asked to report the practice in their divisions replied that copies of lists of documents are given with copies of judgments there to enable the parties and the appellate Courts to understand the nature of the exhibits referred to in the judgment wherein they are indicated by mere marks.

The Judges of the Chief Court consider that the absence of such a list causes some inconvenience when the original record is not before them and that it is also difficult to follow a judgment without information as to what the exhibits are that are referred to by their numbers only. They are therefore of opinion that at the end of the judgment of the original Courts, a list of all documents should be appended and that the list should form a part of the judgment so as to make it obligatory to grant copies of such lists along with copies of judgments.

Please see page 3 ante Court Dispatch portion

I am directed to forward the enclosed addendum and corrigendum proposed to be issued to Rule of Practice No.123 dated the 26th September 1905 and to request that the Government may be pleased to accord sanction to its issue.

I have the honor to be,

S i r,

Your most obedient servant,

R. Gopalacharlu

R e g i s t r a r.

TSK

IN THE CHIEF COURT OF MYSORE AT BANGALORE.

Civil Side.

Addendum and Corrigendum dated the 1917
to Rule of Practice No: 123 dated the 26th September 1905
as amended by corrigendum dated the 26th July 1912.

The Chief Court directs that the last paragraph of the said Rule of Practice "The Court will then proceed..... .....numbered" be inserted after the paragraph "The suit came on for final hearing.....(date)" with the following note and that the subsequent paragraphs with the notes be expunged:--

"Note:-- A list of the witnesses examined by each party with their numbers, and a list of all documents exhibited in evidence shewing the nature and date of each, shall be appended at the end of, and shall form a part of, the judgment. When a document bears only a vernacular date the corresponding English date shall be given. "

R. Gopalaswamy

REGISTRAR.

TSK

G.R.S. VI-71]

SUBJECT Amendment of Civil Rule of Practice no 123.

Diary No. of letter replied to J. 797.

General and Revenue Secretariat

( Courts. )

, the 191

Date of issue 5-12-1917

Signed by Sir. S. Srinivasa Iyr

Section Courts

File No. 86-17

Serial No. 2

*Proceedings of the Government of His Highness the Maharaja of Mysore.*

*Read.*—

Letter no. R.O.C. 733/1916-17 dy 2.10.1917 from the Registrar, Chief Court stating, with reference to the correspondence between the Subordinate Judge, Shimoga, and the Munsiff of Chitaldrug, in the matter of furnishing parties with copies of list of documents admitted in evidence along with copies of judgments, that the Judges are of opinion that at the end of the judgment of the original court a list of all documents should be appended

*over.*

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette English part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette Kannada part ?

Order Thereon:— No.

and that the list should form a part of the judgment so as to make it obligatory to grant copies of such lists along with copies of judgments, and forwarding for sanction the following addendum and corrigendum to Rule of Practice no 123 of 26-9-1905 as amended by corrigendum of 26-7-1912 —

[ Here enter the portion marked in the enclosure to the Paper under Disposal ].

—

Order. No. of 1963

The alterations proposed are approved.

Chief Secretary.

To the Registrar, Chief Court.

*List of enclosures.*

*Copied by*

*Examined by*